

**ORDINANCE NO. 903-2003**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-013, FENCES, LANDSCAPING, AND BOUNDARY WALL; BY PROVIDING A LIMITATION FOR THE HEIGHT OF FICUS HEDGES; ESTABLISHING A PROVISION PROHIBITING THE FUTURE PLANTING OF FICUS HEDGES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.**

**WHEREAS**, the City has previously received questions and comments from concerned citizens regarding the permitted usage and existence of ficus hedges; and,

**WHEREAS**, the City Council requested that the City Code Review Board discuss limitations on the height and usage and existence of ficus hedges; and,

**WHEREAS**, the City Code Review Board has made various recommendations to the City Council regarding the height of existing ficus hedges and restricting the future planting of such hedges; and,

**WHEREAS**, the City Council of the City of Miami Springs had determined that it is in the best interests of the City and its citizens to limit the height of existing ficus hedges and prohibit the future planting of such hedges in the City:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

**Section 1:** That Code of ordinance Section 150-013, Fences, Landscaping and Boundary

Walls, is hereby amended as follows:

**150-013. FENCES, LANDSCAPING AND BOUNDARY WALLS.**

(A) ...

(B) ...

(C) No rear or side yard fence or wall, hedge or screening in excess of six (6) feet in height shall be permitted in any R District. However, hedges may be planted and cultivated in the rear or side yards of residential properties without height limitation so long as the hedges are kept in presentable condition, properly maintained, and the owner of said hedge or hedges makes every reasonable effort to care for all sides of the hedge or hedges in a like manner. However, existing ficus hedges shall not be permitted to exceed six (6) feet in height in any rear or side yards of residential properties .

(D) ...

(E) The planting of new or replacement ficus hedges in the front, rear or side yards of residential properties in the City shall be strictly prohibited.

~~(E)~~ (F) ...

~~(F)~~ (G) ...

~~(G)~~ (H) ...

**Section 2:** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

**Section 3:** That this Ordinance shall take effect in the manner provided by law.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs,  
Florida this 22<sup>nd</sup> day of September 2003.

The motion to adopt the foregoing ordinance was offered on second reading by Councilman Pacheco, seconded by Councilman Youngs, and on roll call the following vote ensued:

Vice Mayor Elza	“absent”
Councilman Caudle	“aye”
Councilman Pacheco	“aye”
Councilman Youngs	“aye”
Mayor Bain	“aye”

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Billy Bain  
Mayor

**ATTEST:**

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Magalí Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY:**

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Jan K. Seiden, Esquire  
City Attorney

1st reading: 08/25/2003  
2nd reading: 09/22/2003

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.

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